

Message Text

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ACTION EPA-02

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INR-10 NSAE-00 L-03 COME-00 EB-08 /045 W
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FM AMEMBASSY MOSCOW
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DEPT PASS EPA FOR SHOSTAL

E.O. 11652: N/A
TAGS: SENV
SUBJECT: US-USSR ENVIRONMENTAL AGREEMENT: NEW
SOVIET STANDARDS ON MAXIMUM EMISSION LEVELS FOR
AIR POLLUTION

REF: STATE 147669

1. WASHINGTON POST ARTICLE MENTIONED IN REFTL
WAS APPARENTLY BASED ON JUNE 6 ARTICLE IN PRAVDA,
ANNOUNCING PLANNED FORMULATION OF STANDARDS
REGULATING EMISSION OF HARMFUL WASTES INTO THE
ATMOSPHERE. THE PRAVDA ARTICLE, WHICH IS
HEAVILY LACED WITH PROPAGANDA TO THE EFFECT
THAT AIR POLLUTION IS MUCH WORSE IN "CAPITALIST"
COUNTRIES AND THAT ONLY "SOCIALISM" OFFERS
POSSIBILITY OF A UNIFIED APPROACH TO ELIMINATING
AIR POLLUTION, NOTES THAT THE STANDARD IS BEING
WORKED OUT BY THE MAIN GEOPHYSICAL OBSERVATORY
OF THE NEW STATE COMMITTEE OF HYDROLOGY AND
CONTROL OF THE NATURAL ENVIRONMENT (SCHCNE),
WITH THE PARTICIPATION OF GOSSTANDART, THE
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MINISTRY OF HEALTH, AND THE ACADEMY OF MEDICAL
SCIENCES. ARTICLE CLAIMS THAT THE SOVIET UNION
IS THE FIRST STATE IN THE WORLD TO APPLY THE
APPROACH OF "STATE STANDARDIZATION" TO ENVIRON-
MENTAL QUESTIONS, WHICH IT DEFINES AS REGULATING
THE INTERACTION OF MAN TO ALL ASPECTS OF HIS
ENVIRONMENT, INCLUDING WATER, AIR, SOILS,

LANDSCAPE, LAND UTILIZATION AND BIOLOGICAL RESOURCES. ACCORDING TO THE ARTICLE, 19 STANDARDS HAVE BEEN FORMULATED. (PRESUMABLY THE AIR POLLUTION STANDARD IS ONLY ONE OF THESE 19.) THE STANDARDS ARE SCHEDULED TO TAKE EFFECT IN JANUARY, 1980.

2. ON JUNE 14 EMBOFF DISCUSSED THE PRAVDA ARTICLE WITH YURIY KAZAKOV, SOVIET EXECUTIVE SECRETARY OF THE US-USSR ENVIRONMENTAL AGREEMENT. ACCORDING TO KAZAKOV THE NEW AIR POLLUTION STANDARD MENTIONED IN THE PRAVDA ARTICLE IS DESIGNED TO ESTABLISH MAXIMUM EMISSION LEVELS FOR INDIVIDUAL ENTERPRISES, WITHIN AN OVERALL GEOGRAPHIC AREA. UNTIL NOW, SOVIETS HAD ONLY SPECIFIED MAXIMUM PERMISSABLE CONCENTRATIONS OF HARMFUL SUBSTANCES WITHIN A GIVEN GEOGRAPHIC AREA. THE NEW STANDARDS WILL ESTABLISH MAXIMUM PERMISSABLE EMISSION LEVELS FOR EACH ENTERPRISE WITHIN A GIVEN GEOGRAPHIC AREA. THE ENTERPRISE LEVELS WILL BE DESIGNED TO ENSURE THAT EMISSIONS OF ALL ENTERPRISES, TAKEN AS A WHOLE, DO NOT PERMIT CONCENTRATIONS OF HARMFUL WASTES IN ANY ONE GEOGRAPHIC AREA IN EXCESS OF TOTAL MAXIMUM PERMISSABLE CONCENTRATION.

3. ACCORDING TO KAZAKOV, "IT IS PLANNED" THAT LIMITED OFFICIAL USE

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THE NEW STANDARD WILL COME INTO EFFECT IN 1980; HOWEVER, HE IMPLIES THAT THERE MIGHT BE SOME SLIPPAGE IN THIS DATE. KAZAKOV NOTED THAT WHEN THE STANDARD DOES COME INTO EFFECT A SCHEDULE WILL BE ESTABLISHED FOR ITS GRADUAL INTRODUCTION INTO OLDER ENTERPRISES, TAKING INTO ACCOUNT THE EFFECT OF THE MEASURE UPON PRODUCTION.

4. ALTHOUGH THE NEW SCHCNE IS TAKING THE LEADING ROLE IN WORKING OUT THE NEW STANDARDS, KAZAKOV COMMENTED THAT IT HAS YET TO BE DECIDED WHETHER THE SCHCNE WILL HAVE ENFORCEMENT RESPONSIBILITIES OR WHETHER THE COUNCIL OF MINISTERS WILL HANDLE ENFORCEMENT QUESTIONS WITH THE INDIVIDUAL MINISTRIES. ENFORCEMENT MEASURES AVAILABLE WILL INCLUDE, ACCORDING TO KAZAKOV, THE RIGHT TO BRING SUIT AGAINST FACTORIES WHICH VIOLATE THE NORMS AND, IN EXTREME CASES, THE RIGHT TO SHUT DOWN OFFENDERS. (NOTE: BOTH THESE ENFORCEMENT MEASURES ALREADY EXIST UNDER SOVIET LAW, HOWEVER, THEY APPEAR TO BE RARELY USED.)

5. KAZAKOV ALSO INDICATED THAT WHEN A FACTORY IS FOUND TO BE IN VIOLATION OF A NORM ITS PARENT MINISTRY WILL HAVE TO SHOW THE EFFECT OF INTRODUCING THE REQUIRED CORRECTIVE MEASURE ON THE ABILITY OF THE FACTORY AND THE MINISTRY TO MEET YEARLY AND FIVE YEAR PLAN TARGETS. KAZAKOV IMPLIED THAT IN A CASE WHERE THE INTRODUCTION OF THE REQUIRED ANTI-POLLUTION MEASURE WOULD PREVENT PLAN FULFILLMENT, PRODUCTION WILL TAKE PRECEDENCE OVER POLLUTION CONTROL. KAZAKOV NOTED THAT THE FIVE YEAR PLAN IS ENACTED INTO

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SOVIET LAW AND INDIVIDUAL ENTERPRISES DO NOT HAVE THE AUTHORITY TO TAKE POLLUTION CONTROL MEASURES WHICH WOULD LEAD TO UNDER-FULFILLMENT OF THE PLAN. (NOTE: IT IS NOT CLEAR WHY THE NEW STANDARD WOULD NOT ALSO BE CONSIDERED TO HAVE THE EFFECT OF LAW. IN ANY CASE; HOWEVER, ITS LEGAL STATUS WOULD CLEARLY APPEAR TO BE LOWER THAN THAT OF THE FIVE YEAR PLAN.)

6. COMMENT: THE SOVIET UNION HAS A LONG HISTORY OF ADOPTING ENVIRONMENTAL LEGISLATION AND STANDARDS WHICH APPEAR STRICT ON PAPER BUT WHICH ARE NOT IMPLEMENTED AS STRICTLY IN PRACTICE BECAUSE OF THEIR NEGATIVE IMPACT ON PRODUCTION. AS OUTLINED BY KAZAKOV, THE NEW STANDARDS MAY BE HEADED FOR THE SAME FATE; HOWEVER, ONLY TIME WILL TELL. END COMMENT.

7. EMBOFF NOTED THAT EPA DEPUTY ADMINISTRATOR
BARBARA BLUM, WHO IS VISITING USSR JULY 8-15,
WOULD PROBABLY BE INTERESTED TO HEAR SOVIET
PRESENTATION ON THE NEW STANDARDS AS WELL AS ON
THE ACTIVITIES OF THE NEW SCHCNE. MATLOCK

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